

02-0 -0459

(Do Not Write Above This Line)

**AN ORDINANCE**

BY

*C. T. Menden*

AN ORDINANCE TO AMEND THE PENSION ACTS APPLICABLE TO THE CITY OF ATLANTA, SO AS TO PROVIDE FOR A TEMPORARY EARLY RETIREMENT PROGRAM BASED UPON A COMBINATION OF AGE AND YEARS OF SERVICE FOR EMPLOYEES IN THE GENERAL EMPLOYEES PENSION FUND; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred

03/04/02

Referred To:

Finance/Executive

Date Referred

Referred To:

Date Referred

Referred To:

## First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

## Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

## Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

## Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

## Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

## FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

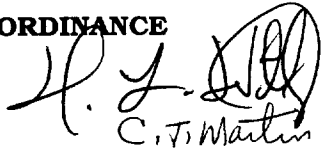
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

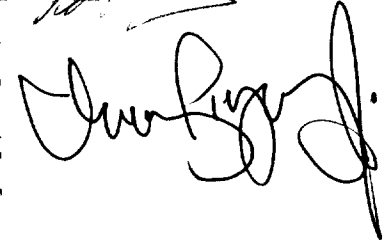
MAYOR'S ACTION

AN ORDINANCE

BY


  
C. J. Martin


  
Mary Donwood

AN ORDINANCE TO AMEND THE PENSION ACTS APPLICABLE TO THE CITY OF ATLANTA, SO AS TO PROVIDE FOR A TEMPORARY EARLY RETIREMENT PROGRAM BASED UPON A COMBINATION OF AGE AND YEARS OF SERVICE FOR EMPLOYEES IN THE GENERAL EMPLOYEES PENSION FUND; AND FOR OTHER PURPOSES.

**WHEREAS**, the City of Atlanta is facing a financial budget crisis in the 2002 Budget year; and

**WHEREAS**, City of Atlanta employees are facing layoffs, furloughs, loss of merit increases, abolishment of vacant positions, and other cutbacks; and

**WHEREAS**, an adoption of a properly structured temporary Early Retirement Program can reduce or eliminate the personnel cutbacks cited above without diminishing the City of Atlanta's ability to efficiently operate its government; and

**WHEREAS**, by restoring merit pay that will be earned in 2002 for City Employees, the City of Atlanta will be rewarding instead of punishing City Employees who have earned such pay; and

**WHEREAS**, by reducing or eliminating furloughs of City of Atlanta employees, better service will be available to the citizens of the City of Atlanta; and

**WHEREAS**, by reducing layoffs of City of Atlanta employees, better service will be available to the citizens of the City of Atlanta; and

**WHEREAS**, the City of Atlanta wishes to show its appreciation to City employees who were honorably discharged from the Armed Forces and who served their Country during periods of armed conflict;

**WHEREAS**, an adoption of a properly structured temporary Early Retirement Program will lessen the burden and loss of City of Atlanta employees who bear no responsibility for the current budget crisis;

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS**, as follows:

**SECTION 1:** That Georgia Laws 1927, as amended by Georgia Laws 1978, is hereby further amended by adding an additional subsection which shall read as follows:

“Any officer or employee who is a member of the General Employee Pension Fund, and whose age and creditable service before credit for accrued unused sick leave equals at least 73 years as of April 30, 2002, shall be entitled to a monthly pension benefit upon retirement without any reduction for any age or vesting penalties as would otherwise be applicable.

Any officer or employee who has served in the United States military during times of armed conflict may buy back at their expense one year of creditable service for each year served during armed conflict up to a maximum of four (4) years.

Any officer or employee shall be paid thereafter a normal monthly pension benefit equal to three percent (3%) of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary) multiplied by the number of such person's years, or fraction thereof, of creditable service, and that the normal monthly pension benefit shall not exceed 90% of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary).

All officers and employees eligible to retire pursuant to this section must make written application to the Pension Office between March 18, 2002 and April 30, 2002.

This section shall become effective for eligible employees of the Atlanta Board of Education upon approval of the Board of Education.

**SECTION 2:** That Georgia Laws 1924, as amended by Georgia Laws 1978, is hereby further amended by adding an additional subsection which shall read as follows:

“Any officer or employee who is a member of the General Employee Pension Fund, and whose age and creditable service before credit for accrued unused sick leave equals at least 73 years as of April 30, 2002, shall be entitled to a monthly pension benefit upon retirement without any reduction for any age or vesting penalties as would otherwise be applicable.

Any officer or employee who has served in the United States military during times of armed conflict may buy back at their expense one year of creditable service for each year served during armed conflict up to a maximum of four (4) years.

Any officer or employee shall be paid thereafter a normal monthly pension benefit equal to three percent (3%) of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary) multiplied by the number of such person's years, or fraction thereof, of creditable service, and that the

normal monthly pension benefit shall not exceed 90% of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary).

All officers and employees eligible to retire pursuant to his section must make written application to the Pension Office between March 18, 2002 and April 30, 2002.

**SECTION 3:** That Georgia Laws 1933, as amended by Georgia Laws 1978, is hereby further amended by adding an additional subsection which shall read as follows:

“Any officer or employee who is a member of the General Employee Pension Fund, and whose age and creditable service before credit for accrued unused sick leave equals at least 73 years as of April 30, 2002, shall be entitled to a monthly pension benefit upon retirement without any reduction for any age or vesting penalties as would otherwise be applicable.

Any officer or employee who has served in the United States military during times of armed conflict may buy back at their expense one year of creditable service for each year served during armed conflict up to a maximum of four (4) years.

Any officer or employee shall be paid thereafter a normal monthly pension benefit equal to three percent (3%) of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary) multiplied by the number of such person's years, or fraction thereof, of creditable service, and that the normal monthly pension benefit shall not exceed 90% of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary).

All officers and employees eligible to retire pursuant to his section must make written application to the Pension Office between March 18, 2002 and April 30, 2002.

**SECTION 4:** That the Mayor or her designee for the purpose of transferring institutional knowledge and easing the reorganization of City of Atlanta government is authorized to direct that any City of Atlanta employee who accepts this Early Retirement Program will be required to return under contract to their previous position at their previous rate of compensation without benefits for a period of up to one year from date of retirement of the employee.

That the Mayor or her designee may terminate the contract cited above at any time during the contract.

Any employee failing to fulfill their contract without specific authorized release from the Mayor or her designee will be required to pay the City of Atlanta for the remainder of the time not served of their one year contract.

That the Mayor or her designee is authorized to abolish any position that becomes vacant as a result of the Early Retirement Program.

That the Chief Financial Officer or designee be authorized to transfer expenses between various departments' personnel line items to accommodate the inequity from the Early Retirement Program savings realized between departments.

That the Chief Financial Officer or designee be required that funds be transferred to the General Employee's Pension Fund as needed to make compensation as the savings accrue for the cost of monthly pension benefits due to the Early Retirement Program."

**SECTION 5:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.